

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF ARKANSAS

RICHARD SHEPPARD ARNOLD UNITED STATES COURTHOUSE

600 W. CAPITOL, ROOM 423

LITTLE ROCK, ARKANSAS 72201-3325

(501) 604-5140

Facsimile (501) 604-5149

February 3, 2007
LETTER-ORDER

Mr. Leslie Frank Weisbrod

Mr. William Burton Curtis

Ms. Alexandra V. Boone

Mr. Bill Newman

Miller Curtis & Weisbrod LLP

Post Office Box 821329

Dallas, TX 75382-1329

Ms. Kathleen Flynn Peterson

Robins, Kaplan, Miller & Ciresi

LaSalle Plaza

800 LaSalle Avenue, Suite 2800

Minneapolis, MN 55402-2015

Mr. John Vardaman

Mr. Steve Urbanczyk

Mr. F. Lane Heard, III

Williams & Connolly

725 Twelfth Street, N.W.

Washington, DC 20005-5901

Re: *Rush v. Wyeth*, 4:05-CV-497

Dear Counsel:

If a person with abnormal cells in the breast takes Prempro and it “causes” them to become cancerous, or if there is a tiny cancer that is basically “stable” and the taking of Prempro causes it to break loose and grow, all of this is “promotion” as I see it; and is, therefore, compensable to the extent that Plaintiff would not have had the cancer to the extent now suffered.

Accordingly, Wyeth’s submission to strike Dr. Colditz’s testimony (Doc. No. 557) is denied.

Plaintiff’s request that I open the door on other drugs (Doc. No. 541) is denied.

Cordially,

/s/ Wm. R. Wilson,Jr.

Original to the Clerk of Court

cc: The Honorable Henry L. Jones, Jr.